

# ETHICS COMMISSION







## Mission Statement

To preserve public confidence in City government through education, advice, and the prompt and fair enforcement of local government ethics laws.

## Department Description

The Ethics Commission's purpose is to advise and educate City officials and the public about ethics laws; monitor, administer and promptly and fairly enforce the City's governmental ethics laws; propose new ethics law reforms; conduct investigations; refer violations to appropriate enforcement agencies; and audit disclosure statements.

## Service Efforts and Accomplishments

The Ethics Commission received a total of seventy complaints during calendar year 2004. Fifty-four of these complaints were approved for investigation.

Thirteen complaints resulted in stipulated settlement agreements. The Commission collected a total of \$14,200 in administrative fines during 2004.

The Commission also completed three audits: one candidate committee and two ballot measure committees. The audits of the ballot measure committees resulted in material findings and subsequent investigations.

In June of 2004 the Mayor and City Council approved the Commission recommendation for a City Charter amendment permitting the Commission to retain legal counsel independent of the City Attorney's Office. Voters approved this Charter amendment in the November 2004 general election.

On August 2, 2004, the Mayor and City Council approved a complete overhaul of the City's Election Campaign Control Ordinance. The majority of the amendments took effect on January 5, 2005.

# Ethics Commission

## Future Outlook

In the upcoming year, the Ethics Commission intends to revise the Commission's Audit Manual to reflect changes in the law and related auditing procedures, as well as returning the Financial Investigator to full-time status to allow for an increased number of campaign audits.

The Commission will also implement the recently approved changes to the Election Campaign Control Ordinance, educate the regulated community regarding relevant amendments, and continue the review of the City's Municipal Lobbying Ordinance, with the possibility of forthcoming amendment recommendations thereto.

The Commission will pursue an additional staff position in Fiscal Year 2007 to assist with education and outreach, and will also implement an online training program to facilitate the biennial recertification requirement for individuals who fall within the jurisdiction of the Commission.

In partnership with the City Clerk, the Commission will implement an electronic filing system for campaign reports.

Ethics Commission				
	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 FINAL	FY 2005-2006 CHANGE
Positions	4.00	3.75	<b>4.75</b>	1.00
Personnel Expense	\$ 356,179	\$ 368,208	\$ <b>616,912</b>	\$ 248,704
Non-Personnel Expense	\$ 122,867	\$ 58,994	\$ <b>53,514</b>	\$ (5,480)
<b>TOTAL</b>	<b>\$ 479,046</b>	<b>\$ 427,202</b>	<b>\$ 670,426</b>	<b>\$ 243,224</b>

## Department Staffing

	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 FINAL
<b>GENERAL FUND</b>			
<b>Ethics Commission</b>			
Ethics Commission	4.00	3.75	<b>4.75</b>
<b>Total</b>	<b>4.00</b>	<b>3.75</b>	<b>4.75</b>

## Department Expenditures

	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 FINAL
<b>GENERAL FUND</b>			
<b>Ethics Commission</b>			
Ethics Commission	\$ 479,046	\$ 427,202	\$ <b>670,426</b>
<b>Total</b>	<b>\$ 479,046</b>	<b>\$ 427,202</b>	<b>\$ 670,426</b>

# Ethics Commission

## Significant Budget Adjustments

### GENERAL FUND

Ethics Commission	Positions	Cost
<b>Salary and Benefit Adjustments</b>	0.00 \$	36,970
Adjustments to reflect the annualization of the Fiscal Year 2005 negotiated salary compensation schedule, changes to average salaries, retirement contributions, and retiree health contributions. Position adjustments, if applicable, reflect the City Manager's restructuring of Executive Team assignments.		
<b>Support for Ethics Commission Independent Legal Counsel</b>	1.00 \$	211,734
Addition of 1.00 attorney to provide independent legal counsel, research, and education support to the Commission and members of the regulated community, as approved by voters in the November 2004 election by the passage of Proposition E. Increase will be offset by a corresponding reduction in the City Attorney's Office budget negating a General Fund impact.		
<b>Non-Discretionary</b>	0.00 \$	227
Adjustments to reflect expenses that are determined outside of the Department's direct control. Examples of these adjustments include utilities, insurance, and rent.		
<b>Support for Information Technology</b>	0.00 \$	(5,707)
Funding is allocated according to a zero based annual review of information technology funding requirements and priority analyses.		

## Expenditures by Category

	FY 2004 BUDGET	FY 2005 BUDGET	FY 2006 FINAL
<b>PERSONNEL</b>			
Salaries & Wages	\$ 267,041	\$ 263,188	\$ <b>424,735</b>
Fringe Benefits	\$ 89,138	\$ 105,020	\$ <b>192,177</b>
<b>SUBTOTAL PERSONNEL</b>	\$ 356,179	\$ 368,208	\$ <b>616,912</b>
<b>NON-PERSONNEL</b>			
Supplies & Services	\$ 53,873	\$ 35,511	\$ <b>35,511</b>
Information Technology	\$ 54,505	\$ 17,395	\$ <b>12,178</b>
Energy/Utilities	\$ 3,024	\$ 1,623	\$ <b>1,360</b>
Equipment Outlay	\$ 11,465	\$ 4,465	\$ <b>4,465</b>
<b>SUBTOTAL NON-PERSONNEL</b>	\$ 122,867	\$ 58,994	\$ <b>53,514</b>
<b>TOTAL</b>	\$ 479,046	\$ 427,202	\$ <b>670,426</b>

# Ethics Commission

## Salary Schedule

### GENERAL FUND

#### Ethics Commission

<i>Class</i>	<i>Position Title</i>	<i>FY 2005 Positions</i>	<i>FY 2006 Positions</i>		<i>Salary</i>		<i>Total</i>
1596	City Attorney Investigator	0.75	<b>0.75</b>	\$	67,332	\$	50,499
1876	Executive Secretary	1.00	<b>1.00</b>	\$	50,406	\$	50,406
1885	Sr Attorney Investigator	1.00	<b>1.00</b>	\$	74,148	\$	74,148
2224	Assoc Counsel	0.00	<b>1.00</b>	\$	150,000	\$	150,000
2268	Executive Director	1.00	<b>1.00</b>	\$	99,682	\$	99,682
	<b>Total</b>	3.75	<b>4.75</b>			<b>\$</b>	<b>424,735</b>
<b>ETHICS COMMISSION TOTAL</b>		3.75	<b>4.75</b>			<b>\$</b>	<b>424,735</b>